

IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

DAVID SAMPSON HUNTER,)	Case No. C 14-1639 PSG (PR)
)	
Plaintiff,)	ORDER OF DISMISSAL
)	WITHOUT PREJUDICE
v.)	
)	
MEDICAL PERSONNEL, et al.,)	
)	
Defendants.)	
_____)	

David Sampson Hunter, proceeding *pro se*, brought this civil rights action pursuant to 42 U.S.C. § 1983. On October 17, 2014, the court ordered Hunter's complaint dismissed with leave to amend, and directed Hunter to file an amended complaint.¹ On October 24, 2014, the order sent to Hunter was returned as undeliverable because Hunter was not in custody. On November 14, 2014, Hunter submitted a notice of change of address in *Hunter v. Mark*, No. 14-1446 PSG (N.D. Cal. filed March 28, 2014), which was dismissed on August 28, 2014. Thereafter, on December 11, 2014, the court re-sent to this latest address the order dismissing Hunter's complaint with leave to amend, and directed Hunter to file an amended complaint within thirty

¹ See Docket No. 21.

1 days or face dismissal.² On January 12, 2015, the order sent to Hunter was returned as
2 undeliverable because it was unclaimed.

3 Pursuant to Northern District Local Rule 3-11 a party proceeding *pro se* whose address
4 changes while an action is pending must promptly file a notice of change of address specifying
5 the new address.³ The court may, without prejudice, dismiss a complaint when: (1) mail directed
6 to the *pro se* party by the court has been returned to the court as not deliverable, and (2) the court
7 fails to receive within sixty days of this return a written communication from the *pro se* party
8 indicating a current address.⁴

9 More than sixty days have passed since the mail sent to Hunter by the court was returned
10 as undeliverable on January 12, 2015. The court has not received a notice from Hunter of a new
11 address.

12 Accordingly, the instant complaint is DISMISSED without prejudice pursuant to Rule 3-
13 11 of the Northern District Local Rules. The Clerk shall terminate all pending motions, enter
14 judgment, and close the file.

15 IT IS SO ORDERED.

16 DATED: 3/16/2015


PAUL S. GREWAL
United States Magistrate Judge

25 ² See Docket No. 28.

26 ³ See Civil L.R. 3-11(a).

27 ⁴ See Civil L.R. 3-11(b).